

The Honorable Richard A. Jones

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT RYAN POWELL,

Defendant.

NO. CR15-244 RAJ

STIPULATED MOTION FOR
EXTENSION OF TIME FOR FILING
RESPONSES TO PRETRIAL MOTIONS

Noting Date: February 5, 2016

The United States of America, by and through Annette L. Hayes, United States Attorney for the Western District of Washington, and Catherine L. Crisham and Amy Jaquette, Assistant United States Attorneys for said District, and Defendant Robert Powell, by and through his attorney, Allen Bentley, hereby file this Stipulated Motion for Extension of Time for Filing Responses to Pretrial Motions. The motion is made for the following reasons:

1. On October 28, 2015, a federal grand jury sitting in the Western District of Washington returned a Superseding Indictment against Powell, charging him with two counts of interstate transportation of two juveniles for the purpose of prostitution, in violation of Title 18, United States Code, Section 2423(a) (Counts One and Two), one count of sex trafficking an adult victim through force, fraud, and coercion, in violation of Title 18, United States Code, Section 1591 (Count Three), and one count of interstate

STIPULATED MOTION FOR EXTENSION OF TIME FOR
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1 transportation of an adult victim for the purpose of prostitution through coercion and
 2 enticement, in violation of Title 18, United States Code, Section 2422 (Count Four)
 3 (Docket No. 32). Powell was arraigned on the Superseding Indictment on November 5,
 4 2015. At that time, trial was set for February 22, 2016, and the deadline for filing pre-
 5 trial motions was set for January 19, 2016.

6 2. On January 15, 2016, Powell filed a Motion to Sever Counts 1 and 2 from
 7 Counts 3 and 4 for Trial (Docket No. 52) and a Motion *in Limine* to Preclude the
 8 Government from Offering Proof Relating to the Pregnancy of B.M. (Docket No. 54).¹
 9 On January 18, 2016, Powell filed a Motion *in Limine* to Preclude the Offer of Proof of
 10 Prior Convictions and Other “Bad Acts” (Docket No. 58); a Motion *in Limine* Cautioning
 11 the Government Against Using the Term “Victim” at Trial (Docket No. 60); and a
 12 Motion *in Limine* for a Gatekeeping Hearing with Respect to Proposed Expert Testimony
 13 (Docket No. 62). On January 19, 2016, Powell filed a Motion to Dismiss Count 3
 14 (Docket No. 64); a Motion *in Limine* with Regard to the Applicability of Evidence Rule
 15 412 (Docket No. 66); and a Motion to Suppress Statements Made in Rapid City (Docket
 16 No. 72). These motions are noted for January 29, 2016.

17 3. On January 19, 2016, the government filed a Motion *in Limine* to Exclude
 18 Evidence of Victims’ Other Sexual Behavior and Sexual Predisposition (Docket No. 69);
 19 a Motion *in Limine* to Preclude Mistake-of-Age Defense and Evidence at Trial (Docket
 20 No. 70); and a Motion *in Limine* to Exclude Evidence of Consent (Docket No. 71).
 21 These motions are noted for January 29, 2016.

22 4. Pursuant to Local Criminal Rule 12, any response to a pre-trial motion must
 23 be served and filed within seven calendar days after the filing of the motions. Local
 24 Criminal Rule 12(b)(2) further provides that the time for service and filing of briefs and
 25 any other materials in opposition to pre-trial motions may be extended by order of the
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 28 ¹ On January 11, 2016, Powell filed a Motion to Strike Surplusage (Docket No. 49). The government has already
 filed a response to that motion (Docket No. 68).

1 Court or by written stipulation of the parties, provided that the parties do not stipulate to a
2 response date later than the noting date.

3 5. Counsel for both parties have conferred and discussed this matter, and have
4 stipulated that they have no objection to both parties filing their responses to all pre-trial
5 motions and motions *in limine* no later than the noting date of January 29, 2016. The
6 parties submit that the requested extension will provide counsel with sufficient time to
7 fully research and address the issues raised in the various motions.

8 DATED this 26th day of January, 2015.

9
10 Respectfully submitted,

11 ANNETTE L. HAYES
12 United States Attorney

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CERTIFICATE OF SERVICE

I hereby certify that on January 26, 2015, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the attorney(s) of record for the defendant(s).

s/ Catherine L. Crisham

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